

AN ORDINANCE AMENDING CHAPTER
118: FESTIVALS, OF THE CITY OF
FORT WAYNE CODE OF LAWS.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL
OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 118: Festivals, of the
City of Fort Wayne Code of Laws be amended as follows:

CHAPTER 118

FESTIVALS

GENERAL PROVISIONS

§ 118.01 DEFINITIONS.

For the purpose of this code, the following definitions
shall apply unless the context clearly indicates or requires
a different meaning:

FESTIVAL. An event held for more than one day with a special
title and conducted in one location or more, promoted to
attract patrons from the City and surrounding communities,
which is planned, named and executed under the total auspices
of a not-for-profit organization.

FESTIVAL SPONSOR. An organization, association, individual or
business which plans, names and administers a festival.

FESTIVAL POLICE OVERTIME EXPENSES. Direct expenses incurred
by the City of Fort Wayne Police Department for compensation
to police officers for overtime hours worked during a festival
for protection of festival-related events and festival
attenders.

OFFICIAL FESTIVAL EVENT. An event or activity sponsored
and/or promoted by the Festival Sponsor.

1 UNOFFICIAL FESTIVAL ACTIVITY. An event or activity open to
2 the public during a Festival but which is sponsored by an
3 organization, association, individual or business not
4 affiliated with the Festival Sponsor.

5 § 118.02 FESTIVAL-RELATED ACTIVITIES ON CITY-OWNED PROPERTY
6 OR RIGHTS-OF-WAY, INCLUDING STREETS, SIDEWALKS AND
7 ALLEYS.

8 Section 118.02 (D) of the City of Fort Wayne Code of
9 Ordinances is amended as follows:

10 D. Police Department Cost Recovery. All Festival Sponsors
11 held partially or entirely on City-owned property or
12 rights of way, including streets, sidewalks and alleys,
13 shall be subject to the payment of user fees to the City
14 of Fort Wayne for Festival Police Overtime Expenses
15 according to the following terms:

- 16 1. Thirty (30) days prior to the commencement of an
17 official festival event, the festival sponsor shall
18 notify the City Police Department of the date and
19 time the event will occur.
- 20 2. The City of Fort Wayne shall not charge for the
21 first one-hundred (100) hours of festival police
22 overtime expenses during any Festival. The
23 festival sponsor shall be billed and responsible
24 for 25% of the police overtime expenses incurred by
25 the City Police Department after the initial 100
26 hours of festival overtime expenses are reached.
27 Notwithstanding the foregoing, in no event shall
28 the festival sponsor be responsible for payment of
29 festival police overtime expenses which exceed the
30 total festival police overtime expenses billed to
31 the festival sponsor for the same festival in the
32 previous calendar year, plus an additional 10%,
regardless of the total amount of festival police

overtime expenses incurred by the City Police Department.

3. The bill for festival police overtime expenses to be paid by the festival sponsor shall be presented to the festival sponsor by the Civil City Accounting Department within one (1) month after the conclusion of the festival.
4. The festival must pay the festival police overtime expense bill no later than November 30 of the year in which the bill was incurred.
5. Festival sponsors who conduct a festival with a duration of one (1) day or less will be exempt from payment of festival police overtime expenses.
6. Before any barricade permit may be issued to the sponsor of a Festival subject to subdivision (2) above, the permit applicant must post a cash or surety bond in the amount determined by the City to be the equivalent of 25% of the additional police overtime incurred by the City during the same festival in the previous calendar year, unless such cash or surety bond is waived by the Board of Public Works.
7. If the Fort Wayne Police Department rents barricades to assist in traffic and crowd protection related to an Official Festival Event, even if the Festival Sponsor pays for no police overtime expenses, those barricade charges will be passed on to the Festival Sponsor. Similarly, if the Police Department rents barricades to assist in traffic and crowd protection related to an

Unofficial Festival Activity, those barricade charges will be passed on to sponsor of the Unofficial Festival Activity. In the event that barricades are rented by the Police Department for use in an area directly between official and unofficial events, the costs for those barricades will be divided evenly among all adjacent sponsors.

SECTION 2. The invalidity of any section, sentence, clause, paragraph, part or provision of this Ordinance shall not affect the validity of any other section, sentence, clause, paragraph, part or provision of this Ordinance which can be given meaning without such invalid part or parts.

All Ordinances or parts of Ordinances and sections of the Municipal Code of the City of Fort Wayne in conflict herewith are hereby repealed.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor and due legal publication thereof.


Council Member

APPROVED AS TO FORM AND LEGALITY


J. TIMOTHY McCAULAY, CITY ATTORNEY

Read the first time in full and on motion by Ranne, seconded by Ranne, and duly adopted, read the second time by title and referred to the Committee on Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 7-25-95

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Ranne, seconded by Ranne, and duly adopted, placed on its passage.
PASSED ~~Lost~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>6</u>			<u>3</u>
BRADBURY	<u>✓</u>			
EDMONDS				<u>✓</u>
GIAQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG				<u>✓</u>
LUNSEY				<u>✓</u>
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 8-8-95

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) _____ (APPROPRIATION) _____ (GENERAL) _____

(SPECIAL) _____ (ZONING) _____

ORDINANCE

RESOLUTION NO. D-22-95

on the 8th day of August, 1995

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Don J. Schmitter
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of August, 1995, at the hour of 11:30 o'clock PM, M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 10th day of August, 1995, at the hour of 9:00 o'clock PM, M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

BILL NO. G-95-07-28

REPORT OF THE COMMITTEE ON
REGULATIONS
CLETUS R. EDMONDS - REBECCA J. RAVINE - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON _____ REGULATIONS _____ TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending Chapter 118:
Festivals, of the City of Fort Wayne Code of Laws

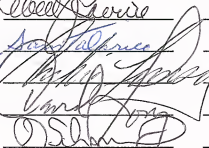
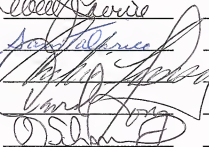
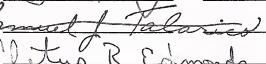
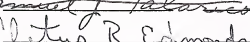
HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~) _____

DO PASS

DO NOT PASS

ABSTAIN

NO REC

	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

DATED: 8-8-85

Sandra E. Kennedy
City clerk



The City of Fort Wayne

Paul Helmke, Mayor

J-95-07-28

MEMO

July 20, 1995

TO: Fort Wayne Common Council

FROM: Linda Buskirk, Director of Public Works *LB*

RE: Amendments to the festival ordinance (Chapter 118)

Last year, City Council approved an ordinance creating a mechanism for city government to recoup some of its expenses for Police Department overtime caused by Fort Wayne's major festival events. After living with the new law for one and a half "festival seasons", the City is proposing some fine-tuning of the ordinance.

The biggest change proposed at this time was suggested by the Three Rivers Festival organization. It would insure that a festival organization would not receive a festival fee bill far greater than its budget could anticipate. This allows festival organizations to budget in advance for police costs, based on their previous years' experience. This amendment reads, in part:

... in no event shall the festival sponsor be responsible for payment of festival police overtime expenses which exceed the total festival police overtime expenses billed to the festival sponsor for the same festival in the previous calendar year, plus an additional 10%, regardless of the total amount of festival police overtime expenses incurred by the city Police Department.

The City needs to be able to plan too. If the festivals receive additional protection from fees rising too fast, then the City needs to make sure it is not over-scheduling police officers to work festival events. To that end, we are proposing a new subsection under Section 118.02 which requires festival organizations to inform the Police Department about their scheduled events at least thirty days before those events occur.

The remainder of the amendments are efforts to clarify certain sections of the ordinance.

If you have any questions regarding these proposed changes, please contact me at 427-1109 or Safety Director Payne Brown at 427-1165. Thank you for your consideration of these changes.

DIGEST SHEET

TITLE OF ORDINANCE GENERAL ORDINANCE

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS

SYNOPSIS OF ORDINANCE AMENDS CHAPTER 118 - FESTIVALS

♦ MODIFIES THE BILLING METHODOLOGY TO FESTIVAL SPONSORS FOR
FESTIVAL POLICE OVERTIME.

♦ FESTIVAL SPONSORS WILL BE REQUIRED TO NOTIFY THE POLICE
DEPARTMENT 30 DAYS BEFORE THE FESTIVAL EVENT.

EFFECT OF PASSAGE FESTIVAL POLICE OVERTIME BILLING METHODOLOGY IS
APPROVED.

EFFECT OF NON-PASSAGE FESTIVAL POLICE OVERTIME BILLING METHODOLOGY
REMAINS THE SAME.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

August 11, 1995

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the dates of August 16 and August 23, 1995, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

General Ordinance No. G-22-95
Amending Chapter 118: Festivals

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you. '

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 8th day of
August, 19 95, the Common Council of the City
of Fort Wayne, Indiana, in a Regular Session did pass
the following Bill No. G-95-07-28 General
Ordinance No. G-22-95 to-wit:

**AN ORDINANCE AMENDING CHAPTER
118: FESTIVALS, OF THE CITY OF
FORT WAYNE CODE OF LAWS.**

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL
OF THE CITY OF FORT WAYNE, INDIANA:**

SECTION 1. That Chapter 118: Festivals, of the
City of Fort Wayne Code of Laws be amended as follows:

CHAPTER 118

FESTIVALS

GENERAL PROVISIONS

§ 118.01 DEFINITIONS.

For the purpose of this code, the following definitions
shall apply unless the context clearly indicates or requires
a different meaning:

FESTIVAL. An event held for more than one day with a special
title and conducted in one location or more, promoted to
attract patrons from the City and surrounding communities,
which is planned, named and executed under the total auspices
of a not-for-profit organization.

FESTIVAL SPONSOR. An organization, association, individual or
business which plans, names and administers a festival.

FESTIVAL POLICE OVERTIME EXPENSES. Direct expenses incurred
by the City of Fort Wayne Police Department for compensation
to police officers for overtime hours worked during a festival
for protection of festival-related events and festival
attenders.

OFFICIAL FESTIVAL EVENT. An event or activity sponsored
and/or promoted by the Festival Sponsor.

UNOFFICIAL FESTIVAL ACTIVITY. An event or activity open to the public during a Festival but which is sponsored by an organization, association, individual or business not affiliated with the Festival Sponsor.

§ 118.02 FESTIVAL-RELATED ACTIVITIES ON CITY-OWNED PROPERTY OR RIGHTS-OF-WAY, INCLUDING STREETS, SIDEWALKS AND ALLEYS.

Section 118.02 (D) of the City of Fort Wayne Code of Ordinances is amended as follows:

D. Police Department Cost Recovery. All Festival Sponsors held partially or entirely on City-owned property or rights of way, including streets, sidewalks and alleys, shall be subject to the payment of user fees to the City of Fort Wayne for Festival Police Overtime Expenses according to the following terms:

1. Thirty (30) days prior to the commencement of an official festival event, the festival sponsor shall notify the City Police Department of the date and time the event will occur.
2. The City of Fort Wayne shall not charge for the first one-hundred (100) hours of festival police overtime expenses during any Festival. The festival sponsor shall be billed and responsible for 25% of the police overtime expenses incurred by the City Police Department after the initial 100 hours of festival overtime expenses are reached. Notwithstanding the foregoing, in no event shall the festival sponsor be responsible for payment of festival police overtime expenses which exceed the total festival police overtime expenses billed to the festival sponsor for the same festival in the previous calendar year, plus an additional 10%, regardless of the total amount of festival police

overtime expenses incurred by the City Police Department.


3. The bill for festival police overtime expenses to be paid by the festival sponsor shall be presented to the festival sponsor by the Civil City Accounting Department within one (1) month after the conclusion of the festival.
4. The festival must pay the festival police overtime expense bill no later than November 30 of the year in which the bill was incurred.
5. Festival sponsors who conduct a festival with a duration of one (1) day or less will be exempt from payment of festival police overtime expenses.
6. Before any barricade permit may be issued to the sponsor of a Festival subject to subdivision (2) above, the permit applicant must post a cash or surety bond in the amount determined by the City to be the equivalent of 25% of the additional police overtime incurred by the City during the same festival in the previous calendar year, unless such cash or surety bond is waived by the Board of Public Works.
7. If the Fort Wayne Police Department rents barricades to assist in traffic and crowd protection related to an Official Festival Event, even if the Festival Sponsor pays for no police overtime expenses, those barricade charges will be passed on to the Festival Sponsor. Similarly, if the Police Department rents barricades to assist in traffic and crowd protection related to an

1 Unofficial Festival Activity, those barricade
2 charges will be passed on to sponsor of the
3 Unofficial Festival Activity. In the event that
4 barricades are rented by the Police Department for
5 use in an area directly between official and
6 unofficial events, the costs for those barricades
7 will be divided evenly among all adjacent sponsors.

8 **SECTION 2.** The invalidity of any section, sentence,
9 clause, paragraph, part or provision of this Ordinance shall
10 not affect the validity of any other section, sentence,
11 clause, paragraph, part or provision of this Ordinance which
12 can be given meaning without such invalid part or parts.

13
14 All Ordinances or parts of Ordinances and sections
15 of the Municipal Code of the City of Fort Wayne in conflict
16 herewith are hereby repealed.

17
18 **SECTION 3.** That this Ordinance shall be in full
19 force and effect from and after its passage, and any and all
20 necessary approval by the Mayor and due legal publication
21 thereof.

22
23 
24 Council Member

Rebecca J. Ravine

4

Read the third time in full and on motion by Ravine, and duly adopted,
placed on its passage. PASSED BY THE FOLLOWING VOTE:

AYES: Six
Bradbury, GiaQuinta, Henry,
Ravine, Schmidt, Talarcio
NAYS: None
ABSENT: Three -- Edmonds, Long, Lunsey
ABSTAINED: None

DATED: 8-8-95

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,
as General Ordinance No. G-22-95 on the 8th day of August, 1995

ATTEST:

SEAL

Sandra E. Kennedy
City Clerk

Don J. Schmidt
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the
9th day of August, 1995, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 10th day of August, 1995, at the hour
of 9:00 o'clock A.M., E.S.T.

Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify
that the above and foregoing is a full, true and complete copy of
_____ General _____ Ordinance No. _____ G-22-95 _____,
passed by the Common Council on the _____ 8th _____ day of
_____ August _____, 19 _____ 95 _____, and that said Ordinance was
duly signed and approved by the Mayor on the _____ 10th _____ day of
_____ August _____, 19 _____ 95 _____, and now remains on file and
on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne,
Indiana, this _____ 10th _____ day of _____ August _____, 19 _____ 95 _____.

SEAL


SANDRA E. KENNEDY, CITY CLERK

LEGAL NOTICE
Notice is hereby given that on the 8th day of August, 1995, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-95-07-26 General Ordinance No. G-22-95 (to-wit):
AN ORDINANCE AMENDING CHAPTER 118: FESTIVALS, OF THE CITY OF FORT WAYNE CODE OF LAWS
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
SECTION 1. That Chapter 118: Festivals, of the City of Fort Wayne Code of Laws be amended as follows:
CHAPTER 118
FESTIVALS
GENERAL PROVISIONS
118.01 DEFINITIONS
For the purpose of this code, the following definitions shall apply unless the context clearly indicates or requires a different meaning:
FESTIVAL: An event held for more than one day with a special title and conducted in one location or more, promoted to attract persons from the City and surrounding communities, which is planned, named and executed under the total auspices of a not-for-profit organization.
FESTIVAL SPONSOR: An organization, association, individual or business which plans, names and administers a festival.
FESTIVAL POLICE OVERTIME EXPENSES: Direct expenses incurred by the City of Fort Wayne Police Department for compensation to police officers for overtime hours worked during a festival for protection of festival-related events and festival attendees.
OFFICIAL FESTIVAL EVENT: An event or activity sponsored and/or promoted by the Festival Sponsor.
UNOFFICIAL FESTIVAL ACTIVITY: An event or activity open to the public during a Festival but which is sponsored by an organization, association, individual or business not affiliated with the Festival Sponsor.
118.02 FESTIVAL-RELATED ACTIVITIES ON CITY-OWNED PROPERTY OR RIGHTS-OF-WAY, INCLUDING STREETS, SIDEWALKS AND ALLEYS
Section 118.02 (D) of the City of Fort Wayne Code of Ordinances is amended as follows:
D. Police Department Cost Recovery. All Festival Sponsors held partially or entirely on City-owned property or rights of way, including streets, sidewalks and alleys, shall be subject to the payment of fees to the City of Fort Wayne for Festival Police Overtime Expenses according to the following terms:
1. Thirty (30) days prior to the commencement of an official festival event, the festival sponsor shall notify the City Police Department of the date and time the event will occur.
2. The City of Fort Wayne shall not charge for the first one-hundred (100) hours of festival police overtime expenses during any Festival. The festival sponsor shall be billed and responsible for 25% of the police overtime expenses incurred by the City Police Department after the initial 100 hours of festival overtime expenses are reached. Notwithstanding the foregoing, in no event shall the festival sponsor be responsible for payment of festival police overtime expenses billed to the festival sponsor for the same festival in the previous calendar year, plus an additional 10%, regardless of the total amount of festival police overtime expenses incurred by the City Police Department.
3. The bill for festival police overtime expenses to be paid by the festival sponsor shall be presented to the festival sponsor by the Civil City Accounting Department within one (1) month after the conclusion of the festival.
4. The festival must pay the festival police overtime expense bill no later than November 30 of the year in which the bill was incurred.
5. Festival sponsors who conduct a festival with a duration of one (1) day or less will be exempt from payment of festival police overtime expenses.
6. Before any barricade permit may be issued to the sponsor of the Festival subject to subdivision (2) above, the permit applicant must post a cash or Surety bond in the amount determined by the City to be the equivalent of 25% of the additional police overtime incurred by the City during the same festival in the previous calendar year, unless such cash or surety bond is waived by the Board of Public Works.
7. If the Fort Wayne Police Department rents barricades to assist in traffic and crowd protection related to an Official Festival Event, even if the Festival Sponsor pays for no police overtime expenses, those barricade charges will be passed on to the Festival Sponsor. Similarly, if the Police Department rents barricades to assist in traffic and crowd protection related to an Unofficial Festival Activity, those barricade charges will be passed on to sponsor of the Unofficial Festival Activity. In the event that barricades are rented by the Police Department for use in an area directly between official and unofficial events, the costs for those barricades will be divided evenly among all adjacent sponsors.
SECTION 2. The invalidity of any section, sentence, clause, paragraph, part or provision of this Ordinance shall not affect the validity of any other section, sentence, clause, paragraph, part or provision of this Ordinance which can be given meaning without such invalid part or parts.
All Ordinances or parts of Ordinances and sections of the Municipal Code of the City of Fort Wayne in conflict herewith are hereby repealed.
SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor and due legal publication thereof.

Read the third time in full and on motion by Ravine, the Ordinance adopted, placed on its passage. PASSED BY THE FOLLOWING VOTE:
AYES: Six
BIBBURY, GinoQuints, Henry, Ravins, Schmidt, Talarico
NAYS: None
ABSENT: Three - Edmonds, Long, Lunsey
ABSTAINED: None
DATED: 8-8-95
Sandra E. Kennedy
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-22-95 on the 8th day of August, 1995
ATTEST:
Sandra E. Kennedy
City Clerk
Don J. Schmidt
Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 8th day of August, 1995, at the hour of 11:30 o'clock A.M., E.S.T.
Sandra E. Kennedy
City Clerk
Approved and signed by me this 10th day of August, 1995, at the hour of 9:00 o'clock A.M., E.S.T.
Paul Hermske
Mayor
I, The Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-22-95, passed by the Common Council on the 8th day of August, 1995, and that said Ordinance was duly signed and approved by the Mayor on the 10th day of August, 1995, and now remains on file and on record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 10th day of August, 1995.
Sandra E. Kennedy, City Clerk
#916674

d of Accounts

General Form No. 99P (Revised 1987)

The Journal-Gazette

Dr.

To:

P.O. Box 100
Fort Wayne, IN

it)

ounty, Indiana

PUBLISHER'S CLAIM

ceed two actual lines, neither of which shall total
f type in which the body of the advertisement is set)

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JES

columns wide equals 159 equivalent lines

\$ 78.71

is containing rule or tabular work

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ublication (\$1.00 for each proof in excess of two)

1.00

AIM

\$ 79.71

JST

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and penalties of Chapter 155, Acts 1953,

regarding account is just and correct, that the amount
or allowing all just credits, and that no part of the

Julie L. Rohyans

Clerk

, 19 95

Title:

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L ROHYANS who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8-16-23-1995, the dates of publication being as follows:

Subscribed and sworn to before me this 23rd day of Aug, 19 95

Notary Public

My commission expires:

MARY L ARKISON
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP JUNE 14, 1999

FW COMMON COUNCIL

(Governmental Unit)

To:

The Journal-Gazette

Dr.

P.O. Box 100

Fort Wayne, IN

ALLEN

County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines _____

Head -- number of lines _____

Body -- number of lines _____

Tail -- number of lines _____

Total number of lines in notice _____

COMPUTATION OF CHARGES

159 lines, 1 columns wide equals 159 equivalent lines
at .495 cents per line

\$ 78.71

Additional charge for notices containing rule or tabular work
(50 percent of above amount) _____

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 79.71

DATA FOR COMPUTING COST

Width of single column 12.5 emsNumber of insertions 2Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: AUG 23, 19 95

Title:

Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L ROHYANS who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time _____, the dates of publication being as follows:

8-16-23-1995

Subscribed and sworn to before me this 23rd day of AUG, 19 95

Notary Public

MARY L ANDERSON

NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

My commission expires:

MY COMMISSION EXP JUNE 14, 1997

LEGAL NOTICE

Notice is hereby given that on the 8th day of August, 1995, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-95-07-28 General Ordinance No. G-95-07-28 to-wit:

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FESTIVAL: An event held for more than one day with a special title and conducted in one location or more, promoted to attract patrons from the City and surrounding communities, which is planned, named and executed under the total auspices of a not-for-profit organization.

FESTIVAL SPONSOR: An organization, association, individual or business which plans, names and administers a festival.

FESTIVAL POLICE OVERTIME EXPENSES: Direct expenses incurred by the City of Fort Wayne Police Department for compensation to police officers for overtime hours worked during a festival for protection of festival-related events and festival attendees.

OFFICIAL FESTIVAL EVENT: An event or activity sponsored and/or promoted by the Festival Sponsor.

UNOFFICIAL FESTIVAL ACTIVITY: An event or activity open to the public during a Festival but which is sponsored by an organization, association, individual or business not affiliated with the Festival Sponsor.

118.02 FESTIVAL-RELATED ACTIVITIES ON CITY

FW COMMON COUNCIL
(Governmental Unit)

To:

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

ALLEN

County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

159 lines, 1 columns wide equals 159 equivalent lines

at .495 cents per line

\$ 78.71

Additional charge for notices containing rule or tabular work (50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 79.71

DATA FOR COMPUTING COST

Width of single column 12.5 ems

LEGAL NOTICE

Notice is hereby given that on the 8th day of August, 1995, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-95-07-28 General Ordinance No. G-22-95 to-wit:

AN ORDINANCE AMENDING CHAPTER 118: FESTIVALS, OF THE CITY OF FORT WAYNE CODE OF LAWS.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 118: Festivals, of the City of Fort Wayne Code of Laws be amended as follows:

CHAPTER 118

FESTIVALS

GENERAL PROVISIONS

118.01 DEFINITIONS.

For the purpose of this code, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

FESTIVAL. An event held for more than one day with a special title and conducted in one location or more, promoted to attract patrons from the city and surrounding communities, which is planned, named and executed under the total auspices of a not-for-profit organization.

FESTIVAL SPONSOR. An organization, association, individual or business which plans, names and administers a festival.

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118.02 FESTIVAL-RELATED ACTIVITIES ON CITY-OWNED PROPERTY OR RIGHTS-OF-WAY. INCLUDING STREETS, SIDEWALKS AND ALLEYS.

Section 118.02 (D) of the City of Fort Wayne Code of Ordinances is amended as follows:

D. Police Department Cost Recovery. All Festival Sponsors shall be responsible for the payment of user fees to the City of Fort Wayne for Festival Police Overtime Expenses according to the following terms:

(1) 30 days prior to the commencement of an official festival event, the festival sponsor shall notify the City Police Department of the date and time the event will occur.

(2) The City of Fort Wayne shall not charge for the one hundred (100) hours of festival police overtime expenses during any festival. The festival sponsor shall be billed and responsible for 25% of the police overtime expenses incurred by the City Police Department after the initial 100 hours of festival overtime expenses are reached. Notwithstanding the foregoing, in no event shall the festival sponsor be responsible for payment of festival police overtime expenses billed to the festival sponsor for the same festival in the previous calendar year, plus an additional 10% regardless of the total amount of festival police overtime expenses incurred by the City Police Department.

(3) The bill for festival police overtime expenses to be paid by the festival sponsor shall be presented to the festival sponsor by the City Civil Accounting Department within one (1) month after the conclusion of the festival.

(4) A festival must pay the festival police overtime expense bill no later than November 30 of the year in which the bill was incurred.

5. Festival sponsors who conduct a festival with a duration of one (1) day or less will be exempt from payment of festival police overtime expenses.

6. Before any barricade permit may be issued to the sponsor of the Festival subject to subdivision (2) above, the permit applicant must post a cash or surety bond in the amount determined by the City to be the equivalent of 25% of the additional police overtime incurred by the City during the same festival in the previous calendar year, unless such cash or surety bond is waived by the Board of Public Works.

7. If the Fort Wayne Police Department rents barricades to assist in traffic and crowd protection related to an Official Festival Event, even if the Festival Sponsor pays for no police overtime expenses, those barricade charges will be passed on to the Festival Sponsor. Similarly, if the Police Department rents barricades to assist in traffic and crowd protection related to an Unofficial Festival Activity, those barricade charges will be passed on to sponsor of the Unofficial Festival Activity. In the event that barricades are rented by the Police Department for use in an area directly between official and unofficial events, the costs for those barricades will be divided evenly among all adjacent sponsors.

SECTION 2. The invalidity of any section, sentence, clause, paragraph, part or provision of this Ordinance shall not effect the validity of any other section, sentence, clause, paragraph, part or provision of this Ordinance which can be given meaning without such invalid part or parts.

All Ordinances or parts of Ordinances and sections of the Municipal Code of the City of Fort Wayne in conflict herewith are hereby repealed.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor and due legal publication thereof.

Rebecca J. Ravine
Council Member

Read the third time in full and on motion by Ravine, and duly adopted, passed on its passage. PASSED BY THE FOLLOWING VOTE:

AYES: Six
Bradbury, GiaQuinta, Henry, Ravine, Schmidt, Talercio

ABSENT: Three - Edmonds, Long, Lunsey

ABSTAINED: None
DATED: 8-8-95

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, on the 8th day of August, 1995.

ATTEST:
Sandra E. Kennedy
Don J. Schmidt
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 8th day of August, 1995, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 10th day of August, 1995, at the hour of 9:00 o'clock A.M., E.S.T.

Mayor

I, The Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-22-95, passed by the Common Council on the 8th day of August, 1995, and that said Ordinance was duly approved by the Mayor on the 10th day of August, 1995, and now remains on file and on record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 10th day of August, 1995.

8-16-23 Sandra E. Kennedy, City Clerk #916674

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Clerk

FIDAVIT

notary public in and for said county and state, the

\$ who, being duly sworn, says that he/
The News-Sentinel newspaper of general

d in the English language in the (city) (town) of

ad county aforesaid, and that the printed matter

, which was duly published in said paper for

dates of publication being as follows:

3-16-23-1995

this 23rd day of AUG, 19 95

Notary Public

MARY L ADKISON
PUBLIC STATE OF INDIANA

ALLEN COUNTY

MISSION EXP JUNE 14, 1997

FW COMMON COUNCIL
(Governmental Unit)

To:

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

ALLEN County, Indiana

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Width of single column 12.5 ems

Number of insertions 2

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: AUG 23, 19 95

Title:

Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L ROHYANS who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter

attached hereto is a true copy, which was duly published in said paper for _____ 2 time _____, the dates of publication being as follows:

8-16-23-1995

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"Car Talk"
Saturday commission expires:

MARY L ADKISON
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY

MY COMMISSION EXPIRES JUNE 14, 1999

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